



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

AUG 26 2002

DOT-E 13083

EXPIRATION DATE: July 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Rockwood Pigments NA, Inc.
St. Louis, MO
2. PURPOSE AND LIMITATION:
 - a. This emergency exemption authorizes the transportation in commerce of a self-heating solid material in UN13H2 or UN13H3 intermediate bulk containers (IBCS). This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.102(c)(4) Special Provision IB6 and 173.241 in that flexible intermediate bulk containers are not authorized except as specified herein.
5. BASIS: This emergency exemption is based on the application of Rockwood Pigments NA, Inc. dated July 25, 2002, and additional information dated August 12, 2002 submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Self-heating solid, inorganic, n.o.s. (contains black iron oxide)	4.2	UN3190	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are UN13H2 or UN13H3 intermediate bulk containers (IBCs) containing a maximum of 2500 pounds (net) of product.

b. TESTING - Each UN13H2 or UN13H3 IBC must be capable of passing the tests at the Packing Group II Performance level specified in 49 CFR Subpart O.

c. OPERATIONAL CONTROLS -

(1) All IBCs must be held a minimum of five days after packaging and a determination made that the material temperature does not exceed 100°F prior to offering for shipment.

(2) Each IBC Shipment must be transported in a closed freight container.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each IBC must be plainly and durably marked "DOT-E 13083" as specified in §§ 172.302(b) and (c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 26 2002

(DATE)

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DBurger